GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

HM&FW Dept – Dr.J.Ramachandra, former Medical Officer, Primary Health Centre, Gurramkonda, Chittoor District (Retired) – Kept under suspension – Reinstated into service – Punishment imposed – Dismissed in a criminal case – Reinducted into service as per court orders – Regularization of suspension period as 'not on duty' and dismissal period as 'dies-non' – Orders – Issued.

HEALTH, MEDICAL AND FAMILY WELFARE (VC.II.1) DEPARTMENT

G.O.RT.No. 279 **Dated: 05-07-2018**

Read the following:-

1. DPH&FW's procs. Rc.No.16793/E2B/2001, dt.05.02.2001(Suspension)
2. DPH&FW's procs. Rc.No.16793/E2B/2001, dt.05.10.2001(Charges)
3. From the Hon'ble Munsif Magistrate Court, Vayalpad, Chiitoor District, Judgemnt dt.21.11.2001 in CC.No.2 of 2001 in Cr.No.74/2000 of Gurramkonda Police Station.
4. DPH&FW's procs. Rc.No.16793/E2B/2001, dt.03.06.2002 (Reinstatement)
5. Orders of Hon'ble II Addl. Sessions Judge, Madanapalli, Chittoor District, dt.17.03.2003 in Criminal Appeal No.252/2002.
6. Govt.Memo.No.9859/VC.II.1/2003-01, dt.30.06.2003.
7. DPH&FW's Rc.No.16793/E2.B/2001, dt.01.07.2003.(Dismissal)
8. Orders of Hon'ble High Court in Crl.Revision case No.1069/2003, dt.26.09.2007.
9. G.O.Rt.No.949, HM&FW(VC.II.1) Dept, dt.19.07.2008(Re-induction).
10. G.O.Ms.No.95, HM&FW(VC.II.1) Dept, dt.30.04.2010. (Punishment).
11. Govt.Memo.No.9699/VC.II.1/2011, dt.26.09.2015.
12. From Sri J.Ramachandra, MO(Retd.), Representation dt.07.06.2017 addressed to the HRC, Hyderabad.
13. From the Dy.Registrar, APSHRC, Hyderabad, HR.Case No.3182/2017, dt.22.08.2017.

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O R D E R

Whereas, one of the ANMs who was subordinate to Dr.J.Ramachandra, former M.O, PHC, Gurrakonda, Chittoor District (Retd.) has lodged a criminal case against Dr. J. Ramachandra, Medical Officer on the allegations of sexual harassment in the year 2000 at Gurramkonda Police Station. After investigation of the Criminal case, the Munsif Magistrate Court, Vayalpad, Chittoor District has issued a Judgement dt. 21.11.2001 in C.C.No.2 of 2001 in Cr.No.74/2000 of Gurramkonda P.S. imposing a punishment of imprisonment for a period of 1½ years on Dr.J.Ramachandra, formerly MO, PHC, Gurramkonda, Chittoor District while working at PHC, N.P. Kunta, Ananthapur District as he was guilty in the case. Aggrieved by the above orders, Dr.J.Ramachandra, Medical Officer filed an appeal in the Court of Sessions of Chittoor Division at Madanapalle and the Hon'ble II Additional Sessions Judge, Chittoor at Madanapalle issued Order dt.09.12.2002 in Crl.M.P.No.393/2002/ C.A.No.252/2002 in which the punishment of imprisonment of 1½ years, has been reduced as to pay a fine of Rs.2500/- only for his guilty of the charge. Subsequently, the individual was dismissed from service vide reference 7th read above. Aggrieved by the above orders, Dr.J.Ramachandra filed Criminal Revision Case No.1069/2003 before the Hon'ble High Court and the Hon'ble High Court in its Judgment dt.26.09.2007 set aside the conviction and sentence recorded by the subordinate courts against Dr.J. Ramachandra and also directed to refund the fine amount paid by the petitioner/accused. Accordingly, Dr.J.Ramachandra was re-inducted into service, vide G.O.9th read above pending finalization of disciplinary action where another enquiry report was pending (Second Case). Subsequently he retired from service on 30.09.2008 AN.

(PTO).

2. Whereas, on the similar allegations of sexual harassment, corruption charges and dereliction of duties and based on the proposal of the District Collector, Dr.J.Ramachandra, former MO, PHC, Gurramkonda, Chittoor District (Retd.) was kept under suspension vide Procs. 1st read above and he was reinstated into service vide procs. 3rd read above pending finalization of the case. Finally, a punishment of 50% cut in pension permanently was imposed against him vide G.O.10th read above, since certain charges were proved in the regular enquiry. The Appeal Petition filed by the individual was also rejected vide Memo. 11th read above.

3. And whereas, in the reference 12th read above, Dr.J.Ramachandra, Medical Officer (Retd.) has made a representation before HRC requesting to issue instructions to regularize suspension and dismissal periods to receive his pension and other benefits and the APSHRC, Hyderabad while forwarding the representation issued notice to the Government to submit the report.

4. After careful examination of the entire matter, Government hereby order to treat the suspension period from 17.02.2001 to 17.09.2002 as 'NOT DUTY' under FR-54 and also treat the dismissal period from 05.07.2003 to 07.08.2008 as 'Dies-Non' under FR-54 in respect of Dr.J.Ramachandra, former Medical Officer, PHC, Gurramkonda, Chittoor District (Retired).

5. The Director of Public Health & Family Welfare shall take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

POONAM MALAKONDAIAH
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The individual through Director of Public Health & Family Welfare, AP.
Gollapudi, Vijayawada.
The Director of Public Health & Family Welfare, AP.
Gollapudi, Vijayawada.

Copy to:

The Accountant General, AP, Hyderabad/Vijayawada.
The DTA, Anjaneya Towers, Ibrehimpatnam, Vijayawada, Krishna District.
The DTO, Chittoor.
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER